

IN SENATE OF THE UNITED STATES.

JANUARY 14, 1846.

Submitted, and ordered to be printed.

Mr. ASHLEY made the following

REPORT :

[To accompany bill Senate No. 49.]

*The Committee on Pensions, to whom was referred the petition of Richard Elliott, report :*

That it appears that this case was referred to a committee heretofore, which made a favorable report thereon, and which this committee adopt and make a part of their report, to wit :

That it appears, from an examination of the petition and papers submitted to the committee, that the petitioner, in the spring of 1780, entered the service of the continental army, and joined the army at Verplanck's point, in the State of New York ; that he was born in the year 1764, and was not quite sixteen when he joined the army ; that in two or three weeks after he joined the army, orders were given to remove and cross the river ; and a short time after this movement, a corps of infantry was formed from the lines, and the petitioner and others were selected and put into this corps, to compose this division of the army. The petitioner believes that the date of his enlistment is made at this time. The time of enlistment, as set forth by petitioner, is in May, 1780.

The name of petitioner is found on the rolls in the Pension Office, which state his enlistment to have been on the 27th day of June, 1780, and for six months ; and that he was discharged on the 3d day of December, 1780. The rolls, therefore, show that the service of the petitioner falls short of the term of six months only twenty-three days. It seems that the petitioner enlisted for the term of six months, but was discharged twenty-three days before the expiration of the term of his enlistment. Such discharges, your committee are satisfied, were frequently granted a few days before the term of service ended, in order to give the soldier time to return to the place of his residence. It seems that the residence of petitioner at this time was at Killingsworth, in the State of Connecticut ; and, from the distance of his residence, when taken in connexion with the fact that his enlistment was for the term of six months, and his service falls short of this term but a few days, the committee are satisfied that, computing the time that the petitioner formed a part of

the continental army, prior to the time when he was selected to form part of the corps of infantry, he did in fact serve six months, and this view is strengthened by an affidavit of Nancy Lay, recently filed as evidence in the case. The committee are satisfied that he ought to receive a pension under the provisions of the act of 1832, for six months; and they have reported a bill accordingly.